

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR  
PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO  
RICO, *et al.*,

Debtors<sup>1</sup>

PROMESA  
Title III

No. 17-BK-3283-LTS

**LIMITED RESPONSE OF VAQUERIA TRES MONJITAS, INC.  
TO OBJECTION OF THE COMMONWEALTH OF  
PUERTO RICO TO PROOF OF CLAIM NO. 42505**

COMES NOW, Vaquería Tres Monjitas, Inc. (“VTM”), through its undersigned counsel, and respectfully submits this limited response (“Limited Response”) to the Objection of the Commonwealth of Puerto Rico to Proof of Claim of Vaquería Tres Monjitas, Inc. (Claim No. 42505) (the “Objection”):

1. On June 8, 2018, VTM filed a proof of claim assigned Claim No. 42505 (“Claim 42505”) asserting a secured claim in the amount of \$20,283,194 relating to the Settlement Agreement<sup>2</sup> as approved by and incorporated into that certain Order and Judgment of the United States District Court for the District of Puerto Rico dated November 6, 2013. Specifically Claim 42505 asserted a claim for the regulatory accrual charge payable by consumers via surcharge on the cost of milk sold within the Commonwealth.

2. The Commonwealth asserts in its Objection that Claim 42505 is not an obligation of the Commonwealth, but rather is an obligation to be satisfied through a

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<sup>1</sup> The Debtors in these Title III cases, along with each Debtor’s respective title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17- BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566(LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233-LTS) (Last Four Digits of Federal Tax ID: 3801).

<sup>2</sup> Capitalized terms not defined herein shall have the meanings assigned to such terms in the Objection.

surcharge on the price of milk consistent with the terms of the Settlement Agreement. VTM agrees.

3. VTM hereby withdraws Claim 42505.

4. By this Limited Response, VTM wishes to clarify that neither VTM's withdrawal of Claim 42505 nor the Commonwealth's Seventh Amended Title III Joint Plan of Adjustment (as such may be further amended or modified) shall diminish or otherwise affect (a) VTM's entitlement under the Settlement Agreement to receive the regulatory accrual charge over milk sold in the Commonwealth, or (b) the obligations of "ORIL and . . . all market participants" pursuant to Regulation 12 (as defined and set forth in the Settlement Agreement and in Regulation 12).

**WHEREFORE**, VTM respectfully requests this Honorable Court to take notice of the information stated above.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 20th day of October 2021.

**WE HEREBY CERTIFY** that on this same date the foregoing Limited Response was filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

**G. CARLO-ALTIERI LAW OFFICES, LLC      EPSTEIN BECKER & GREEN, P.C.**

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